

**UNOFFICIAL VERSION**

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**THURSDAY, JANUARY 12, 2012**

**FORTY-FIRST LEGISLATIVE DAY**

**CALL TO ORDER**

The Senate met at 9:00 a.m., and was called to order by Mr. Speaker Ramsey.

**PRAYER**

The proceedings were opened with prayer by Reverend V.B. Smith of Cedar Grove Missionary Baptist Church in Nashville, Tennessee, a guest of Senator Harper.

**PLEDGE OF ALLEGIANCE**

Senator Harper led the Senate in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 33

Senators present were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--33.

**STANDING COMMITTEE REPORT**

**JUDICIARY**

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1513 with amendment, 1514 with amendment and 1515 with amendment.

BEAVERS, Chairperson  
January 10, 2012

The Speaker announced that he had referred Senate Bills Nos. 1513 with amendment, 1514 with amendment and 1515 with amendment to the Committee on Calendar.

**MOTION**

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bills Nos. 2183 through 2346** be passed on first consideration, which motion prevailed.

**INTRODUCTION OF BILLS**

The Speaker announced that the following bills were filed for introduction and passed first consideration:

**Senate Bill No. 2183** by Senator Norris.

Statutes and Codification -- As introduced, codifies the Acts of the 2011 legislative session.

**Senate Bill No. 2184** by Senator Henry.

Animal Cruelty and Abuse -- As introduced, creates Class E felony of aggravated cruelty to livestock, which is intentionally engaging in specified conduct in a depraved and sadistic manner that results in serious bodily injury or death to the animal and is done with lawful or legitimate purpose. Amends TCA Title 39, Chapter 14, Part 2.

**Senate Bill No. 2185** by Senator Overbey.

Education -- As introduced, requires publication of notice of maturity of school bonds issued by a county on the county's Web site. Amends TCA Title 49, Chapter 3.

**Senate Bill No. 2186** by Senator Overbey.

Mental Illness -- As introduced, requires court, when competency of a criminal defendant to stand trial is an issue, to hear testimony to determine if the defendant poses a likelihood of serious harm if ordered for an evaluation of competency on an outpatient basis. Amends TCA Title 33, Chapter 7, Part 3.

**Senate Bill No. 2187** by Senator Overbey.

Lottery, Scholarships and Programs -- As introduced, changes a terminating event for receipt of the Tennessee HOPE scholarship from attempt at any postsecondary institution of a specified number of semester hours to receipt of the scholarship for a fixed number of full-time equivalent semesters. Amends TCA Title 49, Chapter 4, Part 9.

**Senate Bill No. 2188** by Senator Overbey.

Criminal Offenses -- As introduced, creates Class E felony for failure of a child's parent to report within one hour of the time the parent discovers or should discover that the child is dead or that the child is missing for more than 48 hours. Amends TCA Title 37; Title 38 and Title 39, Chapter 15, Part 4.

**Senate Bill No. 2189** by Senator Overbey.

Law Enforcement -- As introduced, authorizes local legislative bodies to levy a maximum \$25.00 tax on all new civil and criminal cases; earmarks revenue for obtaining and maintaining software and hardware for law enforcement agencies. Amends TCA Title 67, Chapter 4, Part 6.

**Senate Bill No. 2190** by Senator Beavers.

Controlled Substances -- As introduced, adds offenses the conviction of which requires the offender to be on the methamphetamine registry, makes registry retroactive and revises procedure by which methamphetamine-related convictions are transmitted to TBI from clerk's office. Amends TCA Title 39, Chapter 17, Part 4.

**Senate Bill No. 2191** by Senators Southerland and Faulk.

Drugs, Prescription -- As introduced, prohibits pain management clinics and prescribers at such clinics from prescribing certain drugs to a patient in an amount that exceeds the drug manufacturer's recommended dosage. Amends TCA Title 39; Title 53; Title 63 and Title 68.

**Senate Bill No. 2192** by Senator Southerland.

Senate -- As introduced, changes T.C.A. to reflect renaming of the Senate Environment, Conservation and Tourism Committee as the "senate energy and environment committee". Amends TCA Title 4; Title 7; Title 8; Title 9; Title 11; Title 43; Title 67; Title 69 and Title 70.

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**Senate Bill No. 2193** by Senator Southerland.

Safety -- As introduced, transfers Title 68, Chapter 103, relative to working in proximity to high-voltage lines, into Title 50, Chapter 3, relative to the "Occupational Health and Safety Act", effective July 1, 2012. Amends TCA Title 50 and Title 68, Chapter 103.

**Senate Bill No. 2194** by Senator Southerland.

Criminal Offenses -- As introduced, criminalizes possession, use, transfer or installation of software designed to manipulate retail records of transactions for evading payment of sales tax to the state. Amends TCA Title 38; Title 39; Title 40 and Title 67.

**Senate Bill No. 2195** by Senator Burks.

Highway Signs -- As introduced, names bridge on U.S. 127 in Cumberland County in honor of late Frederick A. Hassler, U.S. Army.

**Senate Bill No. 2196** by Senator Burks.

Business and Commerce -- As introduced, authorizes the Commissioner of Revenue to revoke business licenses for the illegal sale of synthetic drugs and the local beer boards to revoke the beer license of a business selling such drugs. Amends TCA Section 8-21-401; Section 39-17-452; Title 57, Chapter 5 and Title 67, Chapter 4, Part 7.

**Senate Bill No. 2197** by Senator Tracy.

Comptroller, State -- As introduced, changes references from "county audit division" to "comptroller of the treasury" and "department of audit" in provisions regarding judicial information system advisory committee members; the county financial management system; and audits of the solid waste authority. Amends TCA Title 5; Title 16 and Title 68.

**Senate Bill No. 2198** by Senator Yager.

Privacy, Confidentiality -- As introduced, classifies as a confidential record the emergency contact information for any state, county, municipal or other public employee or former employee, or of any law enforcement officer in the employ of a public college or university; exemption does not apply to residential street address for any county, municipal or other public employee. Amends TCA Title 10, Chapter 7.

**Senate Bill No. 2199** by Senator Norris.

Children's Services, Dept. of -- As introduced, removes the 2012 repeal date for the "Tennessee's Transitioning Youth Empowerment Act of 2010". Amends TCA Section 37-2-417 and Chapter 1065 of the Public Acts of 2010.

**Senate Bill No. 2200** by Senator Norris.

Child Custody and Support -- As introduced, revises provisions governing placement of child outside the care of the child's parent or guardian by a court order as grounds for the initiation of the termination of parental rights. Amends TCA Section 36-1-113.

**Senate Bill No. 2201** by Senator Norris.

Commerce and Insurance, Dept. of -- As introduced, revises provisions governing the department's reciprocity with other states' confidentiality requirements and confidentiality of NAIC information; adds to the definition of "company action level event" under the "Risk-Based Capital for Insurers Act". Amends TCA Title 56, Chapter 2; Title 56, Chapter 22; Title 56, Chapter 44 and Title 56, Chapter 44.

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**Senate Bill No. 2202** by Senator Norris.

Insurance Companies, Agents, Brokers, Policies -- As introduced, revises provisions governing deposit of securities in clearing corporation. Amends TCA Title 56, Chapter 2 and Title 56, Chapter 3.

**Senate Bill No. 2203** by Senator Norris.

Codes -- As introduced, adopts the 2010 ADA Standards for Accessible Design as the standards to be followed to make a building accessible to those with physical disabilities when constructing or altering a public building. Amends TCA Section 68-120-204(a)(1).

**Senate Bill No. 2204** by Senator Norris.

Law Enforcement -- As introduced, extends provisions regarding employee compensation and indemnification for officers killed in the line of duty to police officers employed by the state. Amends TCA Section 7-51-208(a)(2).

**Senate Bill No. 2205** by Senator Norris.

Correction, Dept. of -- As introduced, revises provisions governing the exercise of police powers by department employees and governing the authority of certain department employees to carry firearms. Amends TCA Section 4-3-609 and Section 39-17-1350.

**Senate Bill No. 2206** by Senator Norris.

Economic and Community Development -- As introduced, clarifies purposes of FastTrack programs; requires certain reports be submitted to secretary of state; revises other provisions governing "The Tennessee Job Growth Act of 2005". Amends TCA Section 4-3-715; Section 4-3-716 and Section 4-3-717.

**Senate Bill No. 2207** by Senator Norris.

Public Records -- As introduced, classifies as confidential the due diligence materials submitted by a company to the Department of Economic and Community Development; confidentiality applies until such time as the provider of the material no longer requires its confidentiality. Amends TCA Section 4-3-730.

**Senate Bill No. 2208** by Senator Norris.

Education -- As introduced, revises various provisions governing school accountability and achievement school district. Amends TCA Title 49, Chapter 1, Part 6 and Title 49, Chapter 13.

**Senate Bill No. 2209** by Senator Norris.

Education -- As introduced, removes prohibition on using records from students eligible for special education services under federal law as part of the value added assessment. Amends TCA Section 49-1-606.

**Senate Bill No. 2210** by Senator Norris.

Teachers, Principals and School Personnel -- As introduced, revises various provisions governing pupil-teacher ratios and salaries. Amends TCA Title 49, Chapter 1, Part 1; Title 49, Chapter 3, Part 3 and Title 49, Chapter 5, Part 4.

**Senate Bill No. 2211** by Senator Norris.

Water Pollution -- As introduced, requires Commissioner of Environment and Conservation to impose certain conditions to provide mitigation of impact when issuing a permit for an activity that will cause alteration of aquatic resources in waters. Amends TCA Title 69, Chapter 3, Part 1.

**Senate Bill No. 2212** by Senator Norris.

State Government -- As introduced, specifies that state insurance plans are not subject to regulation by the Department of Commerce and Insurance or subject to the jurisdiction of the Department of Health and that no such plan is subject to the insurance laws of this state in Title 56 unless otherwise specifically stated. Amends TCA Title 8, Chapter 27.

**Senate Bill No. 2213** by Senator Norris.

Taxes, Franchise -- As introduced, revises various provisions regarding the job tax credit given for new full-time employee jobs filled by a person with disabilities who is receiving state services directly related to such disabilities. Amends TCA Section 67-4-2109(f).

**Senate Bill No. 2214** by Senator Norris.

Banks and Financial Institutions -- As introduced, authorizes Commissioner of Financial Institutions to establish a fee by rule for conducting off-site investigation or examination of any mortgage lender, mortgage loan broker, mortgage loan servicer, or mortgage loan originator. Amends TCA Title 45, Chapter 13.

**Senate Bill No. 2215** by Senator Norris.

Short Term Loans and Lenders -- As introduced, revises various provisions governing deferred presentment services, including provisions regarding qualifications for licensure; authorizes Commissioner of Financial Institutions to require persons subject to "Deferred Presentment Services Act" to be licensed through a multi-state automated licensing system. Amends TCA Title 45, Chapter 17.

**Senate Bill No. 2216** by Senator Norris.

Banks and Financial Institutions -- As introduced, specifies that the limits on loans to any one borrower must take into consideration credit exposure arising from derivative transactions between the state bank and the person. Amends TCA Title 45, Chapter 2.

**Senate Bill No. 2217** by Senator Norris.

Surplus Property -- As introduced, revises duties of the chief procurement officer relating to disposal of certain property; keeps administration of state surplus personal property within general services instead of with chief procurement officer; permits payment of state surplus personal property by credit card. Amends TCA Section 4-56-105 and Title 12, Chapter 2, Part 4.

**Senate Bill No. 2218** by Senator Norris.

Public Contracts -- As introduced, revises requirements for amounts of goods or services that may be procured without requisitioning through the Department of General Services or for contracts that may be entered into without approval of certain government officials; permits competitive negotiations on certain contracts upon approval by the chief procurement officer. Amends TCA Title 12, Chapter 3 and Title 12, Chapter 4.

**Senate Bill No. 2219** by Senator Norris.

Building Commission, State -- As introduced, authorizes commission to delegate its authority to review, approve and recommend any matter over which it has authority to the state architect, the Commissioner of Finance and Administration or the Commissioner of the General Services in accordance with policies adopted by the commission. Amends TCA Section 4-15-102.

**Senate Bill No. 2220** by Senator Norris.

Public Contracts -- As introduced, increases from \$75,000 to \$150,000 the dollar amount of leases that require approval by the attorney general and State Building Commission. Amends TCA Section 12-2-115.

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**Senate Bill No. 2221** by Senator Norris.

Medical Occupations -- As introduced, revises various provisions governing emergency medical services; requires licensure instead of certification. Amends TCA Title 68, Chapter 140, Part 3 and Title 68, Chapter 140, Part 4.

**Senate Bill No. 2222** by Senator Norris.

Hospitals and Healthcare Facilities -- As introduced, allows the issuance of renewals for health facilities licenses for terms of no less than five months and no more than 18 months. Amends TCA Title 68, Chapter 11, Part 2.

**Senate Bill No. 2223** by Senator Norris.

Law Enforcement -- As introduced, removes language in the qualifications for youth services officers, correction officers, police officers and sheriffs requiring such persons to be free of any apparent mental disorder. Amends TCA Title 8, Chapter 8; Title 37, Chapter 5; Title 38, Chapter 8 and Title 41, Chapter 1.

**Senate Bill No. 2224** by Senator Norris.

Welfare -- As introduced, revises provisions governing eligibility for temporary assistance; makes provision of transportation assistance discretionary instead of mandatory. Amends TCA Title 71, Chapter 3, Part 1.

**Senate Bill No. 2225** by Senator Norris.

Intellectual & Developmental Disabilities -- As introduced, revises various provisions governing the licensing of facilities and personal support services agencies for persons with intellectual and developmental disabilities. Amends TCA Title 4 and Title 33.

**Senate Bill No. 2226** by Senator Norris.

Intellectual & Developmental Disabilities -- As introduced, provides for a statewide admissions review committee in regard to developmental centers for persons with intellectual or developmental disabilities, instead of having a review board for each center; makes other various changes in regard to such center. Amends TCA Title 33.

**Senate Bill No. 2227** by Senator Norris.

Intellectual & Developmental Disabilities, Dept. of -- As introduced, authorizes department to allow unlicensed individuals employed by licensed facilities to follow universal "do not resuscitate" orders in certain circumstances. Amends TCA Title 68.

**Senate Bill No. 2228** by Senator Norris.

Unemployment Compensation -- As introduced, allows the set off of covered unemployment compensation debt under certain circumstances; revises other provisions regarding recovering benefit overpayments. Amends TCA Section 50-7-303(d)(3)(B); Section 50-7-304(b)(2); Section 50-7-501 and Section 50-7-715.

**Senate Bill No. 2229** by Senator Norris.

Mental Health, Dept. of -- As introduced, changes the name of the department to the "department of mental health and substance abuse services". Amends TCA Title 2; Title 3; Title 4; Title 8; Title 12; Title 33; Title 36; Title 37; Title 39; Title 40; Title 41; Title 45; Title 49; Title 50; Title 53; Title 55; Title 56; Title 57; Title 63; Title 67; Title 68 and Title 71.

**Senate Bill No. 2230** by Senator Norris.

Controlled Substances -- As introduced, rewrites the provisions governing the scheduling of controlled substances. Amends TCA Title 39, Chapter 17, Part 4.

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**Senate Bill No. 2231** by Senator Norris.

Holidays and Days of Special Observance -- As introduced, designates March 3 of each year to be observed as "Tennessee National Guard Day". Amends TCA Title 15, Chapter 2.

**Senate Bill No. 2232** by Senator Norris.

Taxes, Sales -- As introduced, establishes requirements for determining whether certain affiliates have physical presence in this state sufficient to establish nexus for sales and use tax purposes; provisions to be repealed January 1, 2014. Amends TCA Title 67, Chapter 6.

**Senate Bill No. 2233** by Senator Norris.

Revenue, Dept. of -- As introduced, authorizes the commissioner to require documents or payments filed with the department to be submitted electronically; revises other various provisions regarding the electronic submission of documents and payments to the department. Amends TCA Title 55; Title 57 and Title 67.

**Senate Bill No. 2234** by Senator Norris.

Taxes -- As introduced, redefines "intangible expense" under the Excise Tax Law; revises other various tax provisions. Amends TCA Title 67.

**Senate Bill No. 2235** by Senator Norris.

Controlled Substances -- As introduced, rewrites certain provisions regarding the sale and purchase of an immediate methamphetamine precursor. Amends TCA Section 39-17-431.

**Senate Bill No. 2236** by Senator Norris.

Motor Vehicles -- As introduced, removes the requirement that certain accident reports be in writing; revises other various provisions governing motor vehicle accident reports. Amends TCA Title 55, Chapter 10.

**Senate Bill No. 2237** by Senator Norris.

Safety, Dept. of -- As introduced, authorizes department to enter into partnership agreements with non-profit organizations to promote and support the goals and objectives of the agency. Amends TCA Title 4, Chapter 3, Part 20.

**Senate Bill No. 2238** by Senator Norris.

Driver Licenses -- As introduced, establishes that the submission of certain documents is considered compliance with certain requirements for reinstatement of driver license. Amends TCA Section 55-50-321(c).

**Senate Bill No. 2239** by Senator Norris.

Insurance, Health, Accident -- As introduced, adds as a purpose under the "Tennessee Small Employer Group Health Coverage Reform Act" the promotion of the health and wellness of the citizens of this state. Amends TCA Title 56.

**Senate Bill No. 2240** by Senator Norris.

TennCare -- As introduced, revises various provisions of the "Medicaid False Claims Act". Amends TCA Title 71, Chapter 5.

**Senate Bill No. 2241** by Senator Norris.

Health, Dept. of -- As introduced, redefines "evidence-based" for purposes of criteria for funding for in-home visitation programs; makes other changes to provisions governing in-home visitations. Amends TCA Title 68, Chapter 1, Part 1.

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**Senate Bill No. 2242** by Senator Norris.

Highways, Roads and Bridges -- As introduced, revises provisions governing the distribution of utility relocation plans to utility owners. Amends TCA Section 54-5-854.

**Senate Bill No. 2243** by Senator Norris.

Transportation, Dept. of -- As introduced, authorizes department to enter into a negotiated contract with a financial institution for the purpose of stabilizing the net expense of the department for the purchase of gasoline, diesel or other fuels, or the net expense of price adjustments made for fuel, bituminous materials or other materials in the department's construction contracts. Amends TCA Title 4, Chapter 3, Part 23.

**Senate Bill No. 2244** by Senator Norris.

Advertising -- As introduced, revises provisions governing the annual renewal of outdoor advertising permits. Amends TCA Section 54-21-104.

**Senate Bill No. 2245** by Senator Norris.

Appropriations -- As introduced, makes appropriations for the purpose of funding certain rate and co-payment adjustments in the TennCare program.

**Senate Bill No. 2246** by Senator Norris.

Civil Service -- As introduced, enacts the "Tennessee Excellence, Accountability, and Management (T.E.A.M.) Act of 2012". Amends TCA Title 8.

**Senate Bill No. 2247** by Senator Norris.

Tennessee Regulatory Authority -- As introduced, changes the membership of the authority to be five part-time directors instead of four full-time directors; sets the salaries of such directors; revises other provisions regarding the Authority. Amends TCA Title 65.

**Senate Bill No. 2248** by Senator Norris.

Probation and Parole -- As introduced, transfers from board of probation and parole to Department of Correction certain functions relating to probation and parole services and the community correction grant program. Amends TCA Title 4; Title 38; Title 39; Title 40; Title 41 and Title 55.

**Senate Bill No. 2249** by Senator Norris.

State Government -- As introduced, decreases the size of the board of directors for the Duck River Development Agency from 17 to 12; authorizes the Commissioner of Environment and Conservation to appoint an executive director to carry out the purposes of the Conservation Compensation Fund; revises other various provisions governing the structure of certain state agencies, committees, boards and commissions. Amends TCA Title 4; Title 11; Title 16; Title 37; Title 38; Title 41; Title 49; Title 60; Title 62; Title 63; Title 64; Title 68; Title 69 and Title 71.

**Senate Bill No. 2250** by Senator Norris.

Sentencing -- As introduced, increases the punishment for unlawful possession of firearm by person with previous felony conviction. Amends TCA Title 39 and Title 40.

**Senate Bill No. 2251** by Senator Norris.

Sentencing -- As introduced, establishes increased punishment for second and subsequent convictions for domestic assault. Amends TCA Title 39; Title 40 and Title 41.

**Senate Bill No. 2252** by Senator Norris.

Sentencing -- As introduced, establishes enhanced punishment for crimes of force or violence committed while acting in concert with two or more other persons. Amends TCA Title 39 and Title 40.



**Senate Bill No. 2253** by Senator Norris.

Drugs, Prescription -- As introduced, enacts the "Tennessee Prescription Safety Act of 2012". Amends TCA Title 53, Chapter 10, Part 3; Title 53, Chapter 11, Part 3; Title 53, Chapter 11, Part 4 and Title 63, Chapter 1, Part 3.

**Senate Bill No. 2254** by Senator Gresham.

Education, Higher -- As introduced, creates the office of higher education ombudsperson within the office of the comptroller of the treasury. Amends TCA Title 49, Chapter 7.

**Senate Bill No. 2255** by Senator Ketron.

Public Contracts -- As introduced, requires the chief procurement officer to develop a transition plan by "April 1, 2012", instead of "October 1, 2011", and corrects various typographical errors in provisions governing the procurement office and the authorized entity to promulgate rules with regard to state contracting with illegal immigrants. Amends TCA Title 4, Chapter 56, Part 1 and Title 12, Chapter 4.

**Senate Bill No. 2256** by Senator Southerland.

Motor Vehicles, Titling and Registration -- As introduced, extends the reduced registration fee of \$1.25 to motor vehicles operated by governmental units as bailee or lessee in addition to motor vehicles owned and operated by governmental units or private or volunteer fire department units exclusively used for governmental and fire protection purposes. Amends TCA Title 55, Chapter 4.

**Senate Bill No. 2257** by Senator Southerland.

Regional Authorities and Special Districts -- As introduced, requires submission of certain reports and notices in regard to watershed districts. Amends TCA Title 69, Chapter 6, Part 1.

**Senate Bill No. 2258** by Senator McNally.

Public Funds and Financing -- As introduced, makes the authorization for the state funding board to sell bonds at private sale permanent; currently, authorization is scheduled to expire June 30, 2012. Amends TCA Section 9-9-205.

**Senate Bill No. 2259** by Senator Massey.

Comptroller, State -- As introduced, provides for electronic, in addition to telephonic, notifications under the "Advocacy for Honest and Appropriate Government Spending Act". Amends TCA Title 8, Chapter 4, Part 4.

**Senate Bill No. 2260** by Senator McNally.

Taxes -- As introduced, clarifies that a taxpayer may request the assessor to mitigate a forced assessment by reducing the forced assessment to the standard depreciated value of the taxpayer's assessable property plus 25 percent. Amends TCA Section 67-5-1206 and Section 67-5-903.

**Senate Bill No. 2261** by Senator McNally.

Public Funds and Financing -- As introduced, requires that sum sufficient to pay interest and installments of principal on state debt be set apart from the first general fund revenues received during the fiscal year for any year in which sufficient funds are not appropriated in the state budget for the timely payment of such interest and installment payments. Amends TCA Title 9, Chapter 9.

**Senate Bill No. 2262** by Senator McNally.

Public Funds and Financing -- As introduced, requires, if the Appropriations Act fails to make sufficient provisions to pay principal of, premium and interest on bonds, notes or revenue notes on state debt, or, at the time such principal, premium or interest is payable sufficient moneys are

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unavailable for such payment, that a sufficient sum be set apart from the first revenues thereafter received to be applied to such purposes. Amends TCA Title 9, Chapter 9.

**Senate Bill No. 2263** by Senator Yager.

County Government -- As introduced, enacts the "County Financial Management Act of 2012". Amends TCA Title 5 and Title 7.

**Senate Bill No. 2264** by Senator Watson.

State Government -- As introduced, revises provisions governing approval of compromises and settlements by the governor, comptroller and general assembly in actions involving the state. Amends TCA Section 20-13-103.

**Senate Bill No. 2265** by Senator Watson.

Local Government, General -- As introduced, extends from June 30, 2012, to June 30, 2014, the expiration date for the authority of Hamilton, Knox and Shelby counties, Chattanooga, Knoxville, Memphis and Metropolitan Nashville to sell bonds at private sale upon terms and conditions that it determines and upon approval by the governing body of the local government. Amends TCA Section 9-21-132.

**Senate Bill No. 2266** by Senator Beavers.

Special License Plates -- As introduced, authorizes issuance of special license plates for concerns of police survivors (COPS). Amends TCA Title 55, Chapter 4.

**Senate Bill No. 2267** by Senator Tracy.

Driver Licenses -- As introduced, requires all driver licenses issued or renewed on or after July 1, 2012, to bear a photo of the applicant by removing present exemption for persons 60 years of age or older. Amends TCA Title 55, Chapter 50.

**Senate Bill No. 2268** by Senator Tracy.

Motor Vehicles, Titling and Registration -- As introduced, authorizes sheriffs to purchase SHERIFF license plates for their personal vehicles that must be renewed annually; authorizes SHERIFF license plates for county vehicles to be considered governmental plates that are not subject to annual renewal. Amends TCA Title 55, Chapter 4, Part 2.

**Senate Bill No. 2269** by Senator Tracy.

Special License Plates -- As introduced, reclassifies the Tennessee Walking Horse cultural license plate as a new specialty earmarked license plate; changes the distribution of revenue from 80 percent to the arts and 20 percent to the highway fund to 50 percent to the TN Walking Horse Breeders' and Exhibitors' Association, 40 percent to the arts and 10 percent to the highway fund. Amends TCA Title 55, Chapter 4.

**Senate Bill No. 2270** by Senator Tracy.

Education, Higher -- As introduced, funds fully the planning, design, construction and equipping of a science building at MTSU. Amends TCA Title 49, Chapter 7 and Title 49, Chapter 8.

**Senate Bill No. 2271** by Senator Tracy.

Insurance Companies, Agents, Brokers, Policies -- As introduced, creates requirements for issuance of certificates of insurance; clarifies the effect of such certificates; and authorizes oversight by the Commissioner of Commerce and Insurance regarding regulation and assessing fines in relation thereto. Amends TCA Title 56.

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**Senate Bill No. 2272** by Senator Tracy.

Welfare -- As introduced, requires suspicion-based urine drug tests of TANF applicants and recipients. Amends TCA Title 4; Title 50 and Title 71.

**Senate Bill No. 2273** by Senator Tracy.

Parks, Natural Areas Preservation -- As introduced, requires the Commissioner of Environment and Conservation to offer discounted rates to former members of a reserve or Tennessee National Guard unit with 20 or more years of service for activities at Tennessee State Parks. Amends TCA Title 11, Chapter 3, Part 1.

**Senate Bill No. 2274** by Senator Tracy.

Special License Plates -- As introduced, extends the time to meet the minimum order requirements for the American Red Cross new specialty earmarked plate by an additional year. Amends TCA Section 55-4-356.

**Senate Bill No. 2275** by Senator Tracy.

Medical Occupations -- As introduced, redefines the regulations physicians and those working under a physicians' supervision must follow when performing cosmetic or aesthetic procedures or treatments. Amends TCA Title 63.

**Senate Bill No. 2276** by Senator Tracy.

Teachers, Principals and School Personnel -- As introduced, requires State Board of Education to develop alternatives to student achievement data for use as evaluation criteria for teachers supervising student teachers; requires teachers to have met or exceeded expectations on evaluations for two consecutive years to qualify as supervisors of student teachers. Amends TCA Title 49.

**Senate Bill No. 2277** by Senator Tracy.

Motor Vehicles -- As introduced, creates a voluntary program where senior drivers may receive a "yellow dot" vehicle decal to alert emergency medical responders to a folder in the glove compartment containing emergency contacts and medical history in the event of an accident; allows responders to use the information to provide emergency treatment; requires written consent for use and disclosure of medical information for such treatment purposes. Amends TCA Title 55, Chapter 20.

**Senate Bill No. 2278** by Senator Tracy.

Highway Signs -- As introduced, names bridge on State Route 99 in Rutherford County in honor of late Lance Corporal Justin Kyle Lewter.

**Senate Bill No. 2279** by Senator Gresham.

Lottery, Corporation -- As introduced, requires the state funding board's approval of the lottery corporation's estimate of maximized net lottery proceeds and for payment of bonuses to lottery corporation executives. Amends TCA Title 4, Chapter 51.

**Senate Bill No. 2280** by Senator Faulk.

Criminal Offenses -- As introduced, creates Class E felony of manufacturing or selling an imitation controlled substance and the Class A misdemeanors of ingesting an imitation controlled substance and possessing an imitation controlled substance for the purpose of ingesting it. Amends TCA Title 39, Chapter 17, Part 4.

**Senate Bill No. 2281** by Senator Watson.

Naming and Designating -- As introduced, names new driver services center in Chattanooga in honor of Joe Glasscock.

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**Senate Bill No. 2282** by Senator Watson.

Public Health -- As introduced, restricts access to public restrooms and public dressing rooms designated by sex to members of that particular sex. Amends TCA Title 68, Chapter 15, Part 3.

**Senate Bill No. 2283** by Senator Watson.

Sales -- As introduced, requires persons who solicit orders for magazines or make contracts for the future delivery of magazines conditioned upon payment of a subscription fee for magazines to register their presence with municipal law enforcement authorities. Amends TCA Title 62, Chapter 16, Part 1 and Title 67, Chapter 4, Part 7.

**Senate Bill No. 2284** by Senator Faulk.

Professions and Occupations -- As introduced, authorizes law enforcement officials on duty to help persons gain entry to their locked motor vehicle without being licensed as locksmiths. Amends TCA Section 62-11-105.

**Senate Bill No. 2285** by Senator Tracy.

Law Enforcement -- As introduced, creates Class A misdemeanor of removing or attempting to remove a law enforcement officer's handcuffs or other restraints and the Class E felony of removing or attempting to remove a law enforcement officer's firearm or stun weapon. Amends TCA Title 39, Chapter 13, Part 1.

**Senate Bill No. 2286** by Senator Tracy.

Taxes, Inheritance Gift -- As introduced, beginning on January 1, 2013, reduces the inheritance tax rate annually by 1 percent until the tax is phased out. Amends TCA Title 67, Chapter 8.

**Senate Bill No. 2287** by Senator Massey.

Military -- As introduced, creates Class B misdemeanor offense of a person falsely representing that he or she was or is a member of the United States Armed Forces with the intent to deceive another into believing such representation. Amends TCA Title 58, Chapter 1, Part 1.

**Senate Bill No. 2288** by Senator Yager.

County Government -- As introduced, enacts the "County Finance Officer Certification and Education Act of 2012". Amends TCA Title 5.

**Senate Bill No. 2289** by Senator Faulk.

Purchasing -- As introduced, revises provisions regarding cooperative purchasing agreements and local government purchasing in regard to the utilization of pricing discounts. Amends TCA Title 12, Chapter 3, Part 10.

**Senate Bill No. 2290** by Senator Faulk.

Equalization Board -- As introduced, authorizes board to approve a continuing education program for registered taxpayer agents and to charge agents a per-credit hour fee of up to \$25.00 to defray cost of program. Amends TCA Section 67-5-1514.

**Senate Bill No. 2291** by Senator Faulk.

Public Funds and Financing -- As introduced, clarifies that provisions governing purchases by one local government under same terms as another local government's purchasing agreement apply to purchases of goods and equipment. Amends TCA Section 12-3-1004.

**Senate Bill No. 2292** by Senator Watson.

Financial Responsibility Law -- As introduced, allows law enforcement and county clerks to electronically verify insurance status of any vehicle; provides that a valid insurance coverage

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indicator on the vehicle's electronic record shall be acceptable evidence of insurance in lieu of an officer requesting other types of evidence; prohibits issuance or renewal of title or registration unless insurance coverage is electronically verified. Amends TCA Title 55, Chapter 12; Title 55, Chapter 3; Title 55, Chapter 4 and Title 56.

**Senate Bill No. 2293** by Senator Watson.

Taxes, Ad Valorem -- As introduced, authorizes, instead of requires, a county to offer a bid at a sale of property for delinquent county taxes when there are no other bidders for the property. Amends TCA Title 67, Chapter 5, Part 25.

**Senate Bill No. 2294** by Senator Campfield.

Education, Higher -- As introduced, limits any increase in tuition and school-related fees to the consumer price index. Amends TCA Title 49, Chapter 7.

**Senate Bill No. 2295** by Senator Ketron.

Highway Signs -- As introduced, names bridge on State Route 11 in Marshall County in honor of the late Matt Hayes.

**Senate Bill No. 2296** by Senator Ketron.

Highway Signs -- As introduced, names bridge on State Route 7 in Maury County in honor of the late John Newton Woody.

**Senate Bill No. 2297** by Senator Ketron.

Highway Signs -- As introduced, names bridge on State Route 166 in Maury County in honor of Dr. L. Paul Sands.

**Senate Bill No. 2298** by Senator Summerville.

Teachers, Principals and School Personnel -- As introduced, requires the State Board of Education to develop a transitional licensure program for professionals interested in teaching in grades 7-12 that does not require pedagogical study. Amends TCA Title 49.

**Senate Bill No. 2299** by Senator Summerville.

Education -- As introduced, alters reporting requirements of the Department of Health of the aggregate results of all BMI screenings performed in the previous calendar year. Amends TCA Title 49.

**Senate Bill No. 2300** by Senator Summerville.

Education -- As introduced, prompts the State Board of Education and the Department of Safety to update the DARE curriculum as new forms of substance abuse are identified. Amends TCA Title 49.

**Senate Bill No. 2301** by Senator Summerville.

Education -- As introduced, simplifies the reporting requirements of the Commissioner of Education relative to the LEAs' Internet acceptable use policies. Amends TCA Title 49.

**Senate Bill No. 2302** by Senator Summerville.

Teachers, Principals and School Personnel -- As introduced, establishes new route to licensure to teach in grades 9-12 for persons who have taught in certain postsecondary institutions. Amends TCA Title 49, Chapter 5.

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**Senate Bill No. 2303** by Senator Summerville.

Humphreys County -- As introduced, subject to local approval, rewrites county road law to conform with the Tennessee County Uniform Highway Law. Amends Chapter 634 of the Private Acts of 1935; as amended.

**Senate Bill No. 2304** by Senator Bell.

Sunset Laws -- As introduced, extends the board of examiners for architects and engineers, June 30, 2013. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 2, Part 2.

**Senate Bill No. 2305** by Senator Bell.

Sunset Laws -- As introduced, extends the committee for clinical perfusionists, June 30, 2013. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 28, Part 1.

**Senate Bill No. 2306** by Senator Bell.

Sunset Laws -- As introduced, extends the board of dietitian/nutritionist examiners, June 30, 2013. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 25, Part 1.

**Senate Bill No. 2307** by Senator Bell.

Sunset Laws -- As introduced, extends the board of examiners for nursing home administrators, June 30, 2013. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 16, Part 1.

**Senate Bill No. 2308** by Senator Bell.

Sunset Laws -- As introduced, extends the board of pharmacy, June 30, 2013. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 10, Part 3.

**Senate Bill No. 2309** by Senator Bell.

Sunset Laws -- As introduced, extends the emergency medical services board, June 30, 2013. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 140, Part 3.

**Senate Bill No. 2310** by Senator Bell.

Sunset Laws -- As introduced, extends the council for hearing instrument specialists, June 30, 2013. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 17, Part 2.

**Senate Bill No. 2311** by Senator Bell.

Sunset Laws -- As introduced, extends the Tennessee medical laboratory board, June 30, 2013. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 29, Part 1.

**Senate Bill No. 2312** by Senator Bell.

Sunset Laws -- As introduced, extends the department of intellectual and developmental disabilities, June 30, 2014. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3.

**Senate Bill No. 2313** by Senator Bell.

Sunset Laws -- As introduced, extends board of nursing, 2014; revises membership of board. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 7.

**Senate Bill No. 2314** by Senator Bell.

Sunset Laws -- As introduced, extends the board for licensing healthcare facilities, June 30, 2016; requires comptroller to issue questions and answers to board regarding surveyors in response to CMS audit. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 11, Part 2.

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**Senate Bill No. 2315** by Senator Bell.

Sunset Laws -- As introduced, extends the department of children's services, June 30, 2014. Amends TCA Title 4, Chapter 29 and Title 37, Chapter 5.

**Senate Bill No. 2316** by Senator Bell.

Sunset Laws -- As introduced, extends the Second Look commission, June 30, 2017. Amends TCA Title 4, Chapter 29 and Title 37, Chapter 3, Part 8.

**Senate Bill No. 2317** by Senator Bell.

Sunset Laws -- As introduced, extends the Tennessee technology development corporation, June 30, 2017. Amends TCA Title 4, Chapter 14 and Title 4, Chapter 29.

**Senate Bill No. 2318** by Senator Bell.

Sunset Laws -- As introduced, extends the advisory council on workers' compensation, June 30, 2014. Amends TCA Title 4, Chapter 29 and Title 50, Chapter 6, Part 1.

**Senate Bill No. 2319** by Senator Bell.

Sunset Laws -- As introduced, extends the Interstate Insurance Product Regulation Compact of 2007, June 30, 2017. Amends TCA Title 4, Chapter 29 and Title 56, Chapter 58, Part 1.

**Senate Bill No. 2320** by Senator Bell.

Sunset Laws -- As introduced, extends the Tennessee life and health insurance guaranty association, June 30, 2017. Amends TCA Title 4, Chapter 29 and Title 56, Chapter 12, Part 2.

**Senate Bill No. 2321** by Senator Bell.

Sunset Laws -- As introduced, extends the state board for alarm systems contractors, June 30, 2016. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 32.

**Senate Bill No. 2322** by Senator Bell.

Sunset Laws -- As introduced, extends the state board of accountancy, June 30, 2016. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 1.

**Senate Bill No. 2323** by Senator Bell.

Sunset Laws -- As introduced, extends the Tennessee higher education commission, June 30, 2014. Amends TCA Title 4, Chapter 29 and Title 49, Chapter 7.

**Senate Bill No. 2324** by Senator Bell.

Sunset Laws -- As introduced, extends the Tennessee arts commission, June 30, 2013. Amends TCA Title 4, Chapter 20 and Title 4, Chapter 29.

**Senate Bill No. 2325** by Senator Bell.

Sunset Laws -- As introduced, extends the Tennessee council for career and technical education, June 30, 2017. Amends TCA Title 4, Chapter 29 and Title 49, Chapter 11.

**Senate Bill No. 2326** by Senator Bell.

Sunset Laws -- As introduced, extends the Tennessee financial literacy commission, June 30, 2017. Amends TCA Title 4, Chapter 29 and Title 49, Chapter 6, Part 17.

**Senate Bill No. 2327** by Senator Bell.

Sunset Laws -- As introduced, extends the department of general services, June 30, 2017. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3.

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**Senate Bill No. 2328** by Senator Bell.

Sunset Laws -- As introduced, extends the state capitol commission, June 30, 2013. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 8.

**Senate Bill No. 2329** by Senator Bell.

Sunset Laws -- As introduced, extends Tennessee residence commission, June 30, 2017. Amends TCA Title 4, Chapter 23 and Title 4, Chapter 29.

**Senate Bill No. 2330** by Senator Bell.

Sunset Laws -- As introduced, extends the Tennessee emergency management agency, June 30, 2017. Amends TCA Title 4, Chapter 29 and Title 58, Chapter 2.

**Senate Bill No. 2331** by Senator Bell.

Sunset Laws -- As introduced, extends the interstate earthquake compact of 1988, June 30, 2017. Amends TCA Title 4, Chapter 29 and Title 58, Chapter 2, Part 4.

**Senate Bill No. 2332** by Senator Bell.

Sunset Laws -- As introduced, extends the emergency management assistance compact, June 30, 2017. Amends TCA Title 4, Chapter 29 and Title 58, Chapter 2, Part 4.

**Senate Bill No. 2333** by Senator Bell.

Sunset Laws -- As introduced, extends the civil defense and disaster compact, June 30, 2017. Amends TCA Title 4, Chapter 29 and Title 58, Chapter 2, Part 4.

**Senate Bill No. 2334** by Senator Bell.

Sunset Laws -- As introduced, extends the state forestry commission, June 30, 2017. Amends TCA Title 4, Chapter 29 and Title 11, Chapter 4.

**Senate Bill No. 2335** by Senator Bell.

Sunset Laws -- As introduced, extends the Tennessee heritage conservation trust fund, board of trustees, June 30, 2016. Amends TCA Title 4, Chapter 29 and Title 11, Chapter 7.

**Senate Bill No. 2336** by Senator Bell.

Sunset Laws -- As introduced, extends the Tennessee tobacco farmers certifying board, June 30, 2014. Amends TCA Title 4, Chapter 29 and Title 43, Chapter 36, Part 1.

**Senate Bill No. 2337** by Senator Bell.

Sunset Laws -- As introduced, extends the soil scientist advisory committee, June 30, 2013. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 18, Part 2.

**Senate Bill No. 2338** by Senator Bell.

Sunset Laws -- As introduced, extends the water quality control board, June 30, 2013. Amends TCA Title 4, Chapter 29 and Title 69, Chapter 3.

**Senate Bill No. 2339** by Senator Bell.

Sunset Laws -- As introduced, extends the department of environment and conservation, June 30, 2013. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3.

**Senate Bill No. 2340** by Senator Bell.

Sunset Laws -- As introduced, extends the petroleum underground storage tank board, June 30, 2013. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 215.



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### **Senate Bill No. 2341** by Senator Bell.

Sunset Laws -- As introduced, extends the air pollution control board, June 30, 2012. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 201, Part 1.

### **Senate Bill No. 2342** by Senator Bell.

Sunset Laws -- As introduced, extends the board of ground water management, June 30, 2013. Amends TCA Title 4, Chapter 29 and Title 69, Chapter 10, Part 1.

### **Senate Bill No. 2343** by Senator Bell.

Sunset Laws -- As introduced, extends the solid waste disposal control board, June 30, 2013. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 211.

### **Senate Bill No. 2344** by Senator Bell.

Sunset Laws -- As introduced, extends the Tennessee court of the judiciary, June 30, 2013. Amends TCA Title 4, Chapter 29 and Title 17, Chapter 5, Part 2.

### **Senate Bill No. 2345** by Senator Bell.

Sunset Laws -- As introduced, extends the judicial performance evaluation commission, June 30, 2013. Amends TCA Title 4, Chapter 29 and Title 17, Chapter 4, Part 2.

### **Senate Bill No. 2346** by Senator Bell.

Sunset Laws -- As introduced, extends the judicial nominating commission, June 30, 2013. Amends TCA Title 4, Chapter 29 and Title 17, Chapter 4.

## MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bills Nos. 2120 through 2182** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

## **SENATE BILLS ON SECOND CONSIDERATION**

The Speaker announced that the following bills passed second consideration and were referred to the appropriate committees or held on the Clerk's desk:

**Senate Bill No. 2120** referred to the Committee on Judiciary.

**Senate Bill No. 2121** referred to the Committee on State and Local Government.

**Senate Bill No. 2122** referred to the Committee on Health and Welfare.

**Senate Bill No. 2123** referred to the Committee on Judiciary.

**Senate Bill No. 2124** referred to the Committee on Judiciary.

**Senate Bill No. 2125** referred to the Committee on Transportation and Safety.

**Senate Bill No. 2126** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2127** referred to the Committee on Energy and Environment.

**Senate Bill No. 2128** referred to the Committee on State and Local Government.

**Senate Bill No. 2129** referred to the Committee on Government Operations.

**Senate Bill No. 2130** referred to the Committee on Education.

**Senate Bill No. 2131** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 2132** referred to the Committee on Energy and Environment.

**Senate Bill No. 2133** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2134** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2135** referred to the Committee on Education.

**Senate Bill No. 2136** referred to the Committee on Judiciary.

**Senate Bill No. 2137** referred to the Committee on Judiciary.

**Senate Bill No. 2138** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 2139** referred to the Committee on State and Local Government.

**Senate Bill No. 2140** referred to the Committee on Judiciary.

**Senate Bill No. 2141** referred to the Committee on Judiciary.

**Senate Bill No. 2142** referred to the Committee on Judiciary.

**Senate Bill No. 2143** referred to the Committee on Judiciary.

**Senate Bill No. 2144** referred to the Committee on Judiciary.

**Senate Bill No. 2145** referred to the Committee on Judiciary.

**Senate Bill No. 2146** referred to the Committee on Judiciary.

**Senate Bill No. 2147** referred to the Committee on Judiciary.

**Senate Bill No. 2148** referred to the Committee on Judiciary.

**Senate Bill No. 2149** referred to the Committee on State and Local Government.

**Senate Bill No. 2150** referred to the Committee on State and Local Government.

**Senate Bill No. 2151** referred to the Committee on Judiciary.

**Senate Bill No. 2152** referred to the Committee on State and Local Government.

**Senate Bill No. 2153** referred to the Committee on Judiciary.

**Senate Bill No. 2154** referred to the Committee on State and Local Government.

**Senate Bill No. 2155** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2156** referred to the Committee on Education.

**Senate Bill No. 2157** referred to the Committee on Education.

**Senate Bill No. 2158** referred to the Committee on State and Local Government.

**Senate Bill No. 2159** referred to the Committee on State and Local Government.

**Senate Bill No. 2160** referred to the Committee on State and Local Government.

**Senate Bill No. 2161** referred to the Committee on Health and Welfare.

**Senate Bill No. 2162** referred to the Committee on Education.

**Senate Bill No. 2163** referred to the Committee on Judiciary.

**Senate Bill No. 2164** referred to the Committee on Education.

**Senate Bill No. 2165** referred to the Committee on Education.

**Senate Bill No. 2166** referred to the Committee on Judiciary.

**Senate Bill No. 2167** referred to the Committee on State and Local Government.

**Senate Bill No. 2168** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2169** referred to the Committee on Transportation and Safety.

**Senate Bill No. 2170** referred to the Committee on State and Local Government.

**Senate Bill No. 2171** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 2172** referred to the Committee on Judiciary.

**Senate Bill No. 2173** referred to the Committee on Health and Welfare.

**Senate Bill No. 2174** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 2175** referred to the Committee on State and Local Government.

**Senate Bill No. 2176** referred to the Committee on Judiciary.

**Senate Bill No. 2177** referred to the Committee on State and Local Government.

**Senate Bill No. 2178** referred to the Committee on Health and Welfare.

**Senate Bill No. 2179** referred to the Committee on Judiciary.

**Senate Bill No. 2180** referred to the Committee on Education.

**Senate Bill No. 2181** referred to the Committee on State and Local Government.

**Senate Bill No. 2182** referred to the Committee on Judiciary.

### **MOTION**

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 490 through 495** be passed on first consideration and lie over, which motion prevailed.

### **INTRODUCTION OF RESOLUTIONS**

The Speaker announced that the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

**Senate Joint Resolution No. 490** by Senator Overbey.  
Memorials, Death -- Delmar Haynes.

**Senate Joint Resolution No. 491** by Senator Overbey.  
Memorials, Death -- Joe S. Ingram.

**Senate Joint Resolution No. 492** by Senator Norris.  
Memorials, Death -- Bernard Mitchell Higdon.

**Senate Joint Resolution No. 493** by Senator Southerland.  
Memorials, Death -- James H. (Jay) Gaddis.

**Senate Joint Resolution No. 494** by Mr. Speaker Ramsey.  
Memorials, Retirement -- Rich Boyd.

**Senate Joint Resolution No. 495** by Mr. Speaker Ramsey.  
Memorials, Personal Occasion -- Elizabeth Joanne Shupe, 80th birthday.

### **MOTION**

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 470, 475, 482, 484, 485 and 487** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

### **RESOLUTIONS LYING OVER**

The Speaker announced that the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

**Senate Joint Resolution No. 470** -- Constitutional Amendments -- As introduced, proposes constitutional amendment to remove provision of Article II, § 24, allowing general assembly to exceed Copeland Cap by specific legislation, resulting in a limit to annual appropriations based on the growth in the state's economy.

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The Speaker announced that he had referred Senate Joint Resolution No. 470 to the Committee on Finance, Ways and Means.

**Senate Joint Resolution No. 475** -- Courts, Supreme Court of Tennessee -- Proposes a constitutional amendment to provide for gubernatorial appointment of the judges of the supreme court, court of appeals and court of criminal appeals, subject to confirmation by majority vote of the senate.

The Speaker announced that he had referred Senate Joint Resolution No. 475 to the Committee on Judiciary.

**Senate Joint Resolution No. 482** -- General Assembly, Statement of Intent or Position -- Expresses support for confidentiality between chaplains and first responders in counseling and crisis intervention; honors Serve & Protect for work in this field.

The Speaker announced that he had referred Senate Joint Resolution No. 482 to the Committee on Judiciary.

**Senate Joint Resolution No. 484** -- Memorials, Retirement -- Donna Nicely.

The Speaker announced that he had referred Senate Joint Resolution No. 484 to the Committee on Calendar.

**Senate Joint Resolution No. 485** -- Memorials, Retirement -- Judge Barbara Haynes.

The Speaker announced that he had referred Senate Joint Resolution No. 485 to the Committee on Calendar.

**Senate Joint Resolution No. 487** -- Memorials, Death -- Colonel Will Rhea Winfrey, Sr.

The Speaker announced that he had referred Senate Joint Resolution No. 487 to the Committee on Calendar.

### MOTION

Senator Faulk moved that Rule 19 and Rule 38 be suspended for the purpose of making and considering the Consent Calendar consisting of the following resolutions: **Senate Joint Resolutions Nos. 484, 485, 487, 490, 491, 492, 493, 494 and 495**, which motion prevailed.

### CONSENT CALENDAR

**Senate Joint Resolution No. 484** -- Memorials, Retirement -- Donna Nicely.

**Senate Joint Resolution No. 485** -- Memorials, Retirement -- Judge Barbara Haynes.

**Senate Joint Resolution No. 487** -- Memorials, Death -- Colonel Will Rhea Winfrey, Sr.

**Senate Joint Resolution No. 490** -- Memorials, Death -- Delmar Haynes.

**Senate Joint Resolution No. 491** -- Memorials, Death -- Joe S. Ingram.

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**Senate Joint Resolution No. 492** -- Memorials, Death -- Bernard Mitchell Higdon.

**Senate Joint Resolution No. 493** -- Memorials, Death -- James H. (Jay) Gaddis.

**Senate Joint Resolution No. 494** -- Memorials, Retirement -- Rich Boyd.

**Senate Joint Resolution No. 495** -- Memorials, Personal Occasion -- Elizabeth Joanne Shupe, 80th birthday.

Senator Faulk moved that all Senate Joint Resolutions be adopted, which motion prevailed by the following vote:

Ayes . . . . . 33  
Noes . . . . . 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

**MOTION**

Senator Beavers moved that Rule 83(8) be suspended for the purpose of placing **Senate Bills Nos. 2172 and 2190** on the calendar for the Committee on Judiciary for Tuesday, January 17, 2012, which motion prevailed.

**MOTION**

Senator Norris moved that the Proposed Schedule for the week of January 16, 2012, be adopted and made the action of the Senate, which motion prevailed.

**TENNESSEE STATE SENATE  
107th GENERAL ASSEMBLY**

**PROPOSED SCHEDULE  
FOR THE WEEK OF JANUARY 16, 2012**

**MONDAY – January 16**

State Holiday – No Session

**TUESDAY – January 17**

|              |           |                                    |
|--------------|-----------|------------------------------------|
| 12:00 noon – | 1:00 p.m. | Judiciary Committee                |
| 1:00 p.m. –  | 3:00 p.m. | Finance Ways & Means Committee     |
| 3:00 p.m. –  | 5:00 p.m. | State & Local Government Committee |

**WEDNESDAY – January 18**

8:30 a.m. Session – Senate Chamber

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|                         |                                   |
|-------------------------|-----------------------------------|
| 10:00 a.m. – 11:00 a.m. | Education Committee               |
| 11:00 a.m. – 12:00 noon | Health & Welfare Committee        |
| 12:00 noon – 1:00 p.m.  | Lunch                             |
| 1:00 p.m. – 2:00 p.m.   | Transportation & Safety Committee |
| 2:00 p.m. – 3:00 p.m.   | Energy & Environment Committee    |
| 3:00 p.m. – 5:00 p.m.   | Government Operations Committee   |

**THURSDAY – January 19**

9:00 a.m. Session – Senate Chamber

**MOTION**

Senator Norris moved that Rule 39(3) be suspended for the purpose of allowing amendments to Friday, January 13, 2012, Regular Calendar filed prior to 7:00 p.m., Thursday, January 12, 2012, be considered timely filed, which motion prevailed.

**RECALL OF BILL**

On motion of Senator Overbey, **Senate Bill No. 344** was recalled from the Committee on Health and Welfare.

**WITHDRAWAL OF BILL**

On motion of Senator Overbey, Senate Bill No. 344 was withdrawn from the Senate.

**RECALL OF BILL**

On motion of Senator Watson, **Senate Bill No. 2282** was recalled from the Clerk's desk.

**WITHDRAWAL OF BILL**

On motion of Senator Watson, Senate Bill No. 2282 was withdrawn from the Senate.

**MOTION**

On motion of Senator Ketron, his name was added as sponsor of **Senate Bills Nos. 2184, 2270, 2277, 2278 and 2286.**

On motion of Senator Summerville, his name was added as sponsor of **Senate Bill No. 2254.**

On motion of Senators Finney, Harper, Haynes, Herron and Kyle, their names were added as sponsors of **Senate Joint Resolution No. 484.**

On motion, all Senators' names were added as sponsors of **Senate Joint Resolutions Nos. 485 and 494.**

**THURSDAY, JANUARY 12, 2012 -- 41ST LEGISLATIVE DAY**

**ENGROSSED BILLS**

January 12, 2012

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined Senate Joint Resolutions Nos. 484, 485, 487, 490, 491, 492 and 493; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,  
Deputy Chief Clerk.

**ENGROSSED BILLS**

January 12, 2012

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined Senate Joint Resolution No. 494, and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,  
Deputy Chief Clerk.

**MESSAGE FROM THE HOUSE**

January 12, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 1555 and 1558, passed by the House.

JOE MCCORD,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

January 12, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 518, 519, 521, 524, 528, 529, 530, 531, 532 and 533; adopted, for the Senate's action.

JOE MCCORD,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

January 12, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 469, 471, 472, 473, 474, 476, 477, 478, 479, 480, 483, 486, 488 and 489; concurred in by the House.

JOE MCCORD,  
Chief Clerk.



**THURSDAY, JANUARY 12, 2012 -- 41ST LEGISLATIVE DAY**

**ENROLLED BILLS**

January 12, 2012

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 469, 471, 472, 473, 474, 476, 477, 478, 479, 480, 483, 486, 488 and 489; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,  
Deputy Chief Clerk.

**MESSAGE FROM THE HOUSE**

January 11, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2152, for the signature of the Speaker.

JOE MCCORD,  
Chief Clerk.

**SIGNED**

January 12, 2012

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 469, 471, 472, 473, 474, 476, 477, 478, 479, 480, 483, 486, 488 and 489.

**SIGNED**

January 12, 2012

The Speaker announced that he had signed the following: House Bill No. 2152.

**REPORT OF DEPUTY CHIEF CLERK**

January 11, 2012

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolution No. 481, for his action.

ALAN WHITTINGTON,  
Deputy Chief Clerk.

**MESSAGE FROM THE GOVERNOR**

January 11, 2012

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolution No. 481, with his approval.

HERBERT H. SLATERY III,  
Counsel to the Governor.

**THURSDAY, JANUARY 12, 2012 -- 41ST LEGISLATIVE DAY**

**REPORT OF COMMITTEE ON CALENDAR  
CONSENT CALENDAR**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, January 12, 2012: Senate Joint Resolutions Nos. 484, 485, 487, 490, 491, 492, 493, 494 and 495.

This the 12th day of January, 2012.  
MIKE FAULK, Chairperson.

**ADJOURNMENT**

Senator Norris moved the Senate adjourn until 9:00 a.m., Friday, January 13, 2012, which motion prevailed.